

MAILED

UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 25 2002

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte GEORGE WILLIAM WILHELM, JR.

Application 08/820,181

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on September 27, 2002. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

Upon review of the Examiner's Answer mailed on January 2, 2002 (Paper No. 11), there is no indication on the record, that an appeal conference has been conducted. According to the Manual of Patent Examining Procedure (MPEP) § 1208 (8th ed., August 2001), when an appeal conference has been held, the appeal conference participants must identify themselves as the

Application 08/820,181

conferees, along with placing their initials next to their name. This procedure has not been completely followed, thus raising the question of whether or not an appeal conference was held.

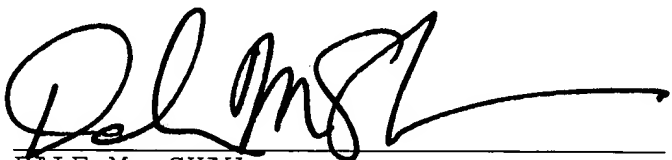
The fee for the Appeal Brief (Paper No. 10) filed September 26, 2001, has not been collected.

Accordingly, it is

ORDERED that the application is returned to the examiner for taking corrective action regarding the appeal conference, the fee for the Appeal Brief, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



DALE M. SHAW
Program and Resource Administrator
(703) 308-9797

cc: SHELLEY M. BECKSTRAND
314 MAIN STREET
OWEGO, NY 13827

gjh
RA03-0028